



Atty. Dkt. No. SDUC1100J-1
(041673-3109)

Applicants: Goodman et al.

Title: DENDRIMERS AS MOLECULAR TRANSLOCATORS

Appl. No.: 10/522,130

Filing Date: 1/19/2005

Examiner: Unknown

Art Unit: 1614

Conf. No. 1951

DECLARATION OF KRISTINE COLE

I, Kristine Cole, hereby declare that:

I am a patent analyst in the Technology Transfer and Intellectual Property Services Office at the University of California, San Diego (UCSD), one of the assignees of the above-identified application. One of my job responsibilities is to coordinate obtaining inventor signatures on formal documents for patent applications filed on behalf of UCSD.

The above-referenced application is the U.S. National Stage of PCT International Application No. PCT/US2003/022772, based on Provisional Application No. 60/397,319, filed July 19, 2002. The PCT filing is also identified by our internal reference number SD2002-042-2PCT.

During 2003, after the PCT application was filed, UCSD attempted to negotiate a license agreement with LG Life Sciences (“LG”; the employer of Inventor Min, the non-signing inventor) for the subject matter of the PCT Application. On November 18, 2003, LG indicated they would not cooperate with UCSD regarding the PCT application (see Exhibit A; irrelevant portions thereof redacted).

Despite this refusal to cooperate by Inventor Min's employer, with respect to the above-referenced application, on or about September 1, 2005, I made an initial attempt to contact Inventor Min at his last known business address: LG Biomedical, 3252 Holiday Court, Suite 101, La Jolla, CA 92037. To date, Inventor Min has failed to respond.

In view of the lack of response to my initial inquiry to Inventor Min, I attempted to email Inventor Chung on September 28, 2005 at his last known business email address (hhjung@mail.lgbmi.com), but I received an automated error message indicating that my message could not be delivered (Exhibit B). The next day I learned that the United States office of their employer, LG Life Sciences, was closed and was given a personal email address for Inventor Chung (Exhibit C; irrelevant portions thereof redacted). I then emailed inventor Chung who confirmed that the United States office of his employer, LG Life Sciences, was indeed closed; in view of this closure, he suggested that I pursue contact with the inventors through the LG Life Sciences office in Korea (Exhibit D).

I then attempted to contact Inventor Min through the Korean office of his employer, LG Life Sciences, via Federal Express. I personally prepared for mailing the package of materials contained in Exhibit E with a cover letter dated October 6, 2005 and addressed to Soo-Hee Yoon, Manager of Business Development, LG Life Sciences, 104-1, Yusong-Ku, Moonji-Dong, Taejon, Korea for signature by Inventor Min. The package included the documents for which signatures were sought, i.e., the Declaration, Power of Attorney and Assignment. A copy of the envelope sent to Inventor Min c/o Soo-Hee Yoon is provided in Exhibit F. I mailed the envelope with the materials on October 7, 2005, which is indicated on the upper left corner of Exhibit F. The Federal Express tracking No. 852860792923 and tracking information saved in our file is shown in Exhibit F. On October 12, 2005, Federal Express delivered the package. To date, no reply from Inventor Min has been received.

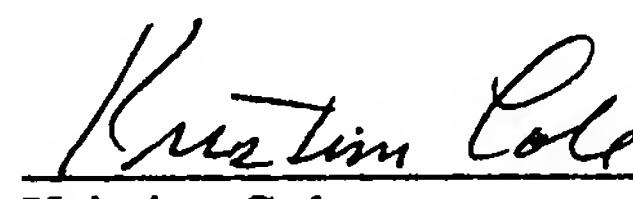
I further attempted to directly contact Inventor Min at his last known address via Federal Express. I personally prepared for mailing the package of materials contained in Exhibit G with a cover letter dated July 26, 2007, and addressed to Changhee Min, Kum-na-mu Apartment, 201-803 Doonsan-dong, Suh-ku, Daejons, Korea for signature by Inventor Min. The package

included the documents for which signatures were sought, i.e., the Declaration, Power of Attorney, Assignment and Application. A copy of the envelope sent to Inventor Min is provided in Exhibit H. I mailed the envelope with the materials on July 26, 2007, which is indicated on the upper left corner of Exhibit H. The Federal Express tracking No. 852860794250 and tracking information saved in our file is shown in Exhibit H. On August 6, 2007, Federal Express delivered the package. To date, no reply from Inventor Min has been received.

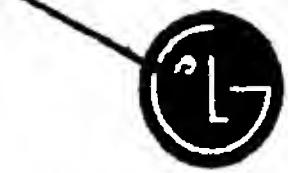
On July 26, 2007, I also attempted to contact Inventor Min at his last known email address (chmin@lgls.co.kr). I included in the email message a link to the published patent application and attached a copy of the documents for which signatures were sought, i.e., the Declaration, Power of Attorney and Assignment. A copy of the email message sent to Inventor Min is provided in Exhibit I. To date, the email message has not been returned as undeliverable and no reply from Inventor Min has been received. After this attempt, it was believed that I had exhausted all reasonable channels to pursue the non-signing inventor.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: November 5, 2007



Kristine Cole
Patent Analyst at TechTIPS, University of
California, San Diego



LG Life Sciences

Business Development / LG Life Sciences
104-1, Yusong-Ku, Moonji-Dong, Taejon, Korea
Tel) +82 42 866 2232 Email) shyoonf@lglis.co.kr

Dr. Laura Wolszon
Licensing Officer
Technology Transfer and Intellectual Property Services
University of California, San Diego
10300 North Torrey Pines Road, MC 0910
La Jolla, CA 92093-0910

November 18, 2003

Dear Dr. Wolszon :

We would like to take this opportunity to inform you that LG will not cooperate with UCSD regarding patent application of UCSD Ref. No. SD2002-042-2PCT(PATENT2).

We sincerely hope to resolve the issue in goodwill, and look forward to hearing from you.

Soo-Hee Yoon
Manager, Business Development
LG Life Sciences

Date: Wed, 28 Sep 2005 14:58:02 -0700 (PDT)
From: Mail Delivery Subsystem <MAILER-DAEMON@mailbox7.ucsd.edu>
To: <KMCole@ucsd.edu>
Subject: Returned mail: see transcript for details
Auto-Submitted: auto-generated (failure)

The original message was received at Wed, 28 Sep 2005 14:57:57 -0700 (PDT)
from smtp.ucsd.edu [132.239.1.49]

The following addresses had permanent fatal errors -----
<hhjung@mail.lgbmi.com>
(reason: 550 Host unknown)

----- Transcript of session follows -----
550 5.1.2 <hhjung@mail.lgbmi.com>... Host unknown (Name server: mail.lgbmi.com: host not found)

Reporting-MTA: dns; mailbox7.ucsd.edu
Arrival-Date: Wed, 28 Sep 2005 14:57:57 -0700 (PDT)

Final-Recipient: RFC822; hhjung@mail.lgbmi.com
Action: failed
Status: 5.1.2
Remote-MTA: DNS; mail.lgbmi.com
Diagnostic-Code: SMTP; 550 Host unknown
Last-Attempt-Date: Wed, 28 Sep 2005 14:58:02 -0700 (PDT)

Return-Path: <KMCole@ucsd.edu>
Received: from smtp.ucsd.edu (smtp.ucsd.edu [132.239.1.49])
by mailbox7.ucsd.edu (8.13.4/8.13.4) with ESMTP id j8SLvvWD022951
(version=TLSv1/SSLv3 cipher=DHE-RSA-AES256-SHA bits=256 verify=OK)
for <hhjung@mail.lgbmi.com>; Wed, 28 Sep 2005 14:57:57 -0700 (PDT)
Received: from kcole-tpcn.ucsd.edu (dyn-233-136.ucsd.edu [132.239.233.136])
by smtp.ucsd.edu (8.13.4/8.13.4) with ESMTP id j8SLvo7x066069
for <hhjung@mail.lgbmi.com>; Wed, 28 Sep 2005 14:57:56 -0700 (PDT)
Message-ID: <6.2.1.2.2.20050928144314.03228090@popmail.ucsd.edu>
X-Mailer: QUALCOMM Windows Eudora Version 6.2.1.2
Date: Wed, 28 Sep 2005 14:55:28 -0700
To: hhjung@mail.lgbmi.com
From: Kristine Cole <KMCole@ucsd.edu>
Subject: UCSD patent application 2002-042 DENDRIMERIC OLIGO-GUANIDINES
AS MOLECULAR TRANSLOCATORS
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"; format=flowed
X-Greylisting: NO DELAY (Trusted relay host);
processed by UCSD_GL-v2.1 on mailbox7.ucsd.edu;
Wed, 28 September 2005 14:57:57 -0700 (PDT)
X-MailScanner: PASSED (v1.2.8 10059 j8SLvvWD022951 mailbox7.ucsd.edu)

Dear Dr. Chung,
As you many recall, UCSD filed an international patent application, on the above title, as jointly

owned by LG Biomedical and UC.

Please advise if you will sign documents to transfer your patent rights to LG.

Thank you

Krisitne

To: Joseph Taulane <jpt@chem.ucsd.edu>
From: Kristine Cole <KMCole@ucsd.edu>
Subject: Re: UCSD-LG Biomedical Patent Application 2002-042-2PCT 'NEW DENDRIMERIC OLIGO-GUANIDINES AS MOLECULAR TRANSLOCATORS'; Goodman
Cc:
Bcc:
Attached:

Thank you so much!

Kris

At 02:12 PM 9/29/2005, you wrote:

Below is a current email address for Dr. Chung
LGBMI closed down more than two years ago

Joseph

hhjungm2414@yahoo.com

Kristine Cole wrote:

Dear Dr. Taulane,

As you may recall, UCSD filed an international patent application which includes inventors from UC and LG Biomedical: Changhee Min, Byung Hyune Choi, and Hyun-Ho Chung. A separate application is UC inventors only.

Do you have any contact information for Hyun-Ho Chung? I believe LG is no longer in business. [REDACTED]. Thank you.

Kristine

DomainKey-Signature: a=rsa-sha1; q=dns; c=nofws;
s=s1024; d@yahoo.com;
h=Message-ID:Received:Date:From:Subject:To:In-Reply-To:MIME-Version:Content-Type:Content-Transfer-Encoding;

b=mtLjsSS61nPnvrnQbXpf3apEoNxd0O96NJ41IPgoy6fwWTNfKPN4ATBFL6K2hneGciGG7OG9

Date: Thu, 29 Sep 2005 16:06:33 -0700 (PDT)

From: HyunHo Chung <hhjungm2414@yahoo.com>

Subject: Re: UCSD patent application 2002-042 DENDRIMERIC OLIGO-GUANIDINES AS MOLECULAR TRANSLOCATORS

To: Kristine Cole <KMCole@ucsd.edu>

X-Greylisting: DELAYED for 00:20:01;

processed by UCSD_GL-v2.1 on mailbox3.ucsd.edu;

Thu, 29 September 2005 16:26:35 -0700 (PDT)

X-Spam-Level: Level **

X-SpamScanner: mailbox3.ucsd.edu (v1.6 Aug 4 2005 15:27:38, 2.3/5.0 3.0.4)

X-MailScanner: PASSED (v1.2.8 25405 j8TNQY3i030200 mailbox3.ucsd.edu)

Dear Kristine

Thanks for the message. As you mentioned, LG Biomedical Institute is now closed. To locate inventors of LG side, you'd better contact LG Life Science Ltd, located at Science Park, Jeon-Min dong, Yu-sung Gu, Daejeon South Korea. Please let me know if you have any further questions. Best regards,

Hyun-Ho Chung.

--- Kristine Cole <KMCole@ucsd.edu> wrote:

> Dear Dr. Chung,
> As you may recall, UCSD filed an international
> patent application, on the
> above title, as jointly owned by LG Biomedical and
> UC.
>
> Formal documents must now be filed to assign patent
> right. LG inventors
> would assign to LG, UCSD inventors would assign to
> UC.
>
> I believe LG is now out of business. Please advise
> whether LG should be a
> joint applicant and whether LG inventors can be
> located, whether they will
> sign necessary documents.
> Thank you.
> Kristine
>

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FAX: (619) 534-7345

9500 GILMAN DRIVE
LA JOLLA, CA 92093-0910

October 6, 2005
Soo-Hee Yoon
Manager, Business Development
LG Life Sciences
104-1, Yusong-Ku, Moonji-Dong
Taejon, Korea

Re: PCT Patent Application No PCT/US03/22772
Title: "Dendrimers as Molecular Translocators"
UCSD Docket: 2002-042-2PCT

Dear Dr. Yoon:

Please find enclosed signature documents for the above referenced application. Assignment records LG Life Sciences as co-owner of patent right with UC Regents. Declaration, Power of Attorney records subject matter as work of signers.

Please have Changhee Min, Byung Hyune Choi and Hyun-Ho Chung sign and date, add witness signatures, address, citizenship as noted. UCSD inventors will sign similar documents.

A return fedex envelope is enclosed, fee paid. Please return documents at earliest opportunity, If difficulty exists, please advise at kmcole@ucsd.edu. Thank you for attention and assistance.

Very truly yours,

Handwritten signature of Kristine Cole.

Kristine Cole
Patent Analyst